



FOLEY  
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MP\$



March 20, 2002

Jennifer A. Zarutskie, Ph.D  
Patent Agent  
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Box Missing Parts  
Assistant Commissioner of Patents  
Washington, DC 20231

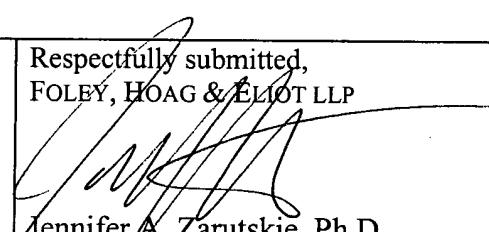
Re: U.S. Patent Application No: 10/077,475  
Entitled: *Matrices For Drug Delivery And Methods For Making  
And Using Same*  
Filed: February 15, 2002  
By: Babich et al.  
Atty Ref: BSA-007.02 (20704/702)

Dear Sir:

Enclosed for filing in the above-referenced patent application please find the following:

1. A copy of Notice to File Missing Parts of Nonprovisional Application (1 page);
2. Response to Notice to File Missing Parts (1 page);
3. Substitute Drawings in compliance with 37 CFR 1.84 (13 pages);
4. Fee Transmittal (2 pages);
5. Check in the amount of \$489.00 for filing and surcharge fees; and
6. Return receipt postcard.

The Commissioner is hereby authorized to charge any under-payments or credit any over-payments to our Deposit Account No. 06-1448.

<b>Certificate of First Class Mailing (37 CFR 1.8(a))</b>	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on the date set forth below:	
March 20, 2002 Date	Kristen Willett Kristen Willett
Respectfully submitted, FOLEY, HOAG & ELIOT LLP  Jennifer A. Zarutskie, Ph.D. Reg. No. 50,558 Agent for Applicants Customer ID No. 25181	

20/496629.1

BOSTON / One Post Office Square / Boston, Massachusetts 02109 / TEL: 617.832.1000 / FAX: 617.832.7000  
WASHINGTON, DC / 1747 Pennsylvania Ave., NW / Suite 1200 / Washington, DC 20006 / TEL: 202.223.1200 / FAX: 202.785.6687  
Foley, Hoag & Eliot LLP

[www.foleyhoag.com](http://www.foleyhoag.com)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Babich et al.	Examiner: To be assigned
Serial No: 10/077,475	Art Unit: 1652
Filed: February 15, 2002	Attorney Docket No. BSA-007.02
For: <i>Matrices For Drug Delivery And Methods For Making And Using The Same</i>	

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**Certificate of First Class Mailing (37 CFR 1.8(a))**

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March 20, 2002  
Date of Signature and Mail Deposit

By:   
Kristen Willett

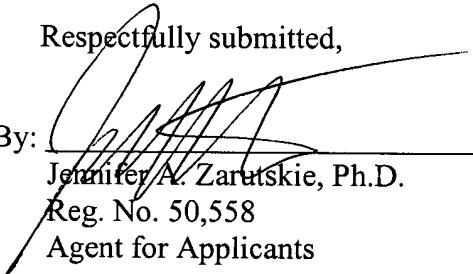
**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Dear Sir:

Enclosed herewith is a response to the Notice to File Missing Parts dated March 5, 2002. In response to the Notice, enclosed is a check in the amount of \$489.00, which includes a small entity filing fee of \$370.00, total additional claim fees of \$54.00 and a surcharge fee of \$65.00. This response also includes the requested Substitute drawings in compliance with 37 CFR 1.84.

No additional fee is believed to be due. If there is any further fee due, or if any refund is owed, please charge/credit our Deposit Account No. 06-1448.

Respectfully submitted,

By:   
Jennifer A. Zarutskie, Ph.D.  
Reg. No. 50,558  
Agent for Applicants

Patent Group  
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Customer ID No. 25181  
Dated: March 20, 2002

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 489.00)

Complete if Known	
Application Number	10/077,475
Filing Date	February 15, 2002
First Named Inventor	John W. Babich
Examiner Name	Not Yet Assigned
Group / Art Unit	1652
Attorney Docket No.	BSA-007.02

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																																																																	
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number 06-1448</p> <p>Deposit Account Name Foley, Hoag &amp; Eliot</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>65.00</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive – unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive – unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Processing fee under 37 CFR 1.17 (q)</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="4"></td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="4">SUBTOTAL (3) (\$ 65.00)</td> </tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	65.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive – unavoidable		141	1,280	241	640	Petition to revive – unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17 (q)		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____								*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 65.00)			
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**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																																					

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Jennifer A. Zarutskie, PhD	Registration No. Attorney/Agent)	50,558
Signature	Date March 20, 2002		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

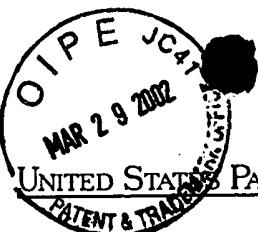
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

**CERTIFICATE OF FIRST CLASS MAILING**

I hereby certify that the foregoing document is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on this date of March 20, 2002.

Kristen Willett  
Kristen Willett

FFB



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/077,475	02/15/2002	John W. Babich	BSA-007.02

25181  
 FOLEY, HOAG & ELIOT, LLP  
 PATENT GROUP  
 ONE POST OFFICE SQUARE  
 BOSTON, MA 02109

*Missing Parts / Drawings*  
**DUE:** 5-5-02  
**FINAL:** 10-5-02

CONFIRMATION NO. 2754

## FORMALITIES LETTER



\*OC000000007582177\*

Date Mailed: 03/05/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$54.
  - \$54 for 6 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 489.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o));

04/01/2002 CCHAU1 00000032 10077475

01 FC:201	370.00 OP
02 FC:203	54.00 OP
03 FC:205	65.00 OP

RECEIVED

3/13/02 B/H  
MAR 11 2002PATENT DEPT.  
DOCKETING*A copy of this notice MUST be returned with the reply.*

*Jane A.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY